

PATENT

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe the below named inventors are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**NON-AQUEOUS INJECTABLE FORMULATION PREPARATION WITH pH ADJUSTED FOR EXTENDED RELEASE OF SOMATOTROPIN**", the Specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

| PRIORITY APPLICATION(S) | | | Priority Claimed |
|-------------------------|---------------------|-------------------------------|---------------------|
| 60/215,599 (Number) | U.S.A. (Country) | June 30, 2000 (Date Filed) | Yes Yes/No |
| | | | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application: **NONE**.

I hereby direct that all correspondence and telephone calls be addressed to Matthew L. Madsen, Howrey Simon Arnold & White, LLP, 750 Bering Drive, Houston, Texas 77057-2198, (713) 787-1400.

37-21(51863)B
11916.0046.NPUS00

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

| | | | |
|--|---|----------------|--------|
| Inventor's Full Name: | Daniel | N. | Heintz |
| Inventor's Signature: | <i>Daniel M. Heintz</i> | | |
| Country of Citizenship: | U.S.A. | Date: 06/21/01 | |
| Residence Address: (street, number, city, state, and/or country) | 11612 Heather Dale Drive St. Louis, Missouri 63146 | | |
| Post Office Address: (if different from above) | | | |

| | | | |
|--|---|-----------------|------|
| Inventor's Full Name: | Yunhua | N. | Jeng |
| Inventor's Signature: | <i>Yunhua n. Jeng</i> | | |
| Country of Citizenship: | U.S.A. | Date: 6/21/2001 | |
| Residence Address: (street, number, city, state, and/or country) | 2102 Heather Glen Drive Chesterfield, MO 63017 | | |
| Post Office Address: (if different from above) | | | |

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Inventor's Declaration

H: 441607(9GQV011.DOC)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DANIEL N. HEINTZ
YUNHUA N. JENG

§ Confirmation No. To be assigned

§

§ Group Art Unit: To be assigned

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§ Examiner: To be Assigned

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§ Atty. Dkt. No.: 11916.0046.NPUS00
§ MOBT:046---

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Serial No.: To be assigned

Filed: Herewith

For: NON-AQUEOUS INJECTABLE
FORMULATION PREPARATION WITH
pH ADJUSTED FOR EXTENDED
RELEASE OF SOMATOTROPIN

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73
AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

T. K. Ball, Reg. No. 42,287; George R. Beck, Reg. No. 21,180; Gary M. Bond, Reg. No. 29,283; Grace L. Bonner, Reg. No. 32,963; Dennis R. Hoerner, Jr., Reg. No. 30,914; Thomas E. Kelley, Reg. No. 29,938; Lawrence M. Lavin, Jr., Reg. No. 30,768; Thomas P. McBride, Reg. No. 32,706; Michael J. Roth, Reg. No. 29,342; Donna E. Scherer, Reg. No. 34,719; Brian K. Stierwalt, Reg. No. 33,213; Joseph A. Schaper, Reg. No. 30,493; Martha J. Yates, Reg. No. 47,194; E. Clifford Lawson, Reg. No. 46,860; Christopher E. Flick, Reg. No. 42,538; and Alissa M. Eagle, Reg. No. 37,126; each an attorney or patent agent with MONSANTO COMPANY, so long as they remain with such company,

and

John F. Lynch, Reg. No. 22,504; J. Paul Williamson, Reg. No. 29,600; John D. Norris, Reg. No. 28,246; Patricia A. Kammerer, Reg. No. 29,775; Stephen H. Cagle, Reg. No. 26,445;

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Power of Attorney

Melinda L. Patterson, Reg. No. 33,062; Susan K. Knoll, Reg. No. 33,254; Janelle D. Waack, Reg. No. 36,300; Michael E. Lee, Reg. No. 38,949; Ira D. Finkelstein, Reg. No. 44,680; Carter J. White, Reg. No. 41,374; Darrell Dotson, Reg. No. 44,661; Connie Flores-Jones, Reg. No. 41,755; Matthew L. Madsen, Reg. No. 45,594; Robert Auerbach, Reg. No. 46,525 and Scott Reese, Reg. No. 47,891

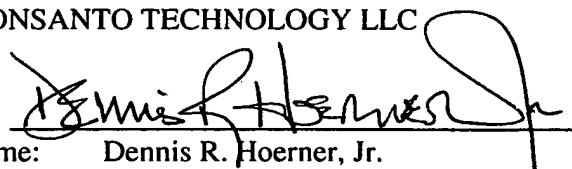
each an attorney or agent of the firm of HOWREY SIMON ARNOLD & WHITE, LLP, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to MONSANTO TECHNOLOGY LLC, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Matthew L. Madsen
HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Drive
Houston, Texas 77057-2198
(713) 787-1400

ASSIGNEE:
MONSANTO TECHNOLOGY LLC

By: 
Name: Dennis R. Hoerner, Jr.
Title: President & Intellectual Property
Counsel

Date: June 20, 2001

ASSIGNMENT:

Concurrently filed
 Previously recorded

Date:

Reel:

Frames:

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